

NOVEMBER 6, 2017, LEGAL AFFAIRS COMMITTEE MEETING MINUTES

8 a.m. Council Chamber. Members present: A. Hraban, J. Pearson, B. Stoneberg. Others present: A. Christianson, K. Gorsegner, A. Kenyon, J. Pohlman. D. Parker.

Call to Order:

Committee Chair Stoneberg called the meeting to order and presided.

Burning Regs:

Mr. Pohlman spoke against charging a \$10 fee or any fee for an annual to get a burning permit. He also indicated that garbage burning is difficult to enforce and that fees for this and that tend to drive people away. It was noted, in response that police can have list of approved permits in the squad cars on-board computer. Mrs. Stoneberg, Mr. Gorsegner and others noted a need to recover at least some of the cost of time issuing and keeping track of these and other permits and services, indicating that it makes sense to recover those costs from the beneficiaries. Mr. Pohlman also suggested that lines be added to approve multiple dates for open burning, with those present seemed to concur with. [Maybe LPD call fill these lines in when approved applicant calls them in?] Sentiments were expressed that the proposed rules should be tried and, if issues develop in the future, they can be revisited. Motion was made by A. Hraban, seconded by Stoneberg and carried by voice vote to recommend Council approval of both the revised burning regs ordinance and the open burning/ camp fire application/permit form.

Trash Fees:

A draft ordinance to amend trash collection and disposal fees for commercial customers was reviewed. It was recalled that, a few years back, sticker costs for residential customers were adjusted but commercial rates were not. Now it is necessary to adjust the latter in an attempt to keep the service self supporting. The 2018 budget was drafted in anticipation of this rate increase being approved to generate an estimated \$32,000 to help offset recent losses. The City has about 150 dumpsters out At any given time. Motion was made by Pearson, seconded by A. Hraban and carried by voice vote to recommend Council approval of the ordinance amendment increasing the basic disposal rate from 8 cents/lb. to 10 cents/lb. and adding a trip charge of \$15 in view of the number of call backs to empty and return temporary dumpsters and the seeming expectation the City will react instantly to such requests.

Bike Licenses/Scooter Rules:

Those present reviewed a two-part ordinance amendment to eliminate the requirement of licensing bikes although those present seemed to agree that bike use our youth is down. It is believed that, in practice, licenses have only been issued on request and that advocating licensing was last done a few years back in conjunction with bike rodeos. Most present feel licensing requirements should be retained and given more impetus by the P&FC as a tool for recovering stolen bikes. Were other reasons stated? This recommendation will be passed along to the P&FC.

Mrs. Pearson feels kids should be able to ride skateboards, scooters and the like on downtown sidewalks to keep them off the more heavily used streets in this area. Some agree, some don't. The downtown was generally described as E. 4th to W. 4th, railroad to river. A question was raised whether skateboard and scooter routes might be identified and signed through the downtown much as ATV routes are. There didn't seem to be any consensus on this so upon motion by Stoneberg, which was seconded by Pearson and carried by voice vote, discussion will be shifted to the full Council to try to gain broader input.

NCA Agreement:

It was reported that a draft user agreement with North Cedar Academy for the former Mount Senario athletic facilities. Adm. Christianson believes Mayor Reynolds has reviewed the agreement with NCA and found it to be workable, but will leave it to the Mayor to clarify. At the same time Committee members want it to be clear that resident interest should get priority should conflicts arise. Efforts will may need to be made to work though anything should arise. Between them, Mr. Christianson and Atty. Kenyon will adjust wording for further review.

One-Way Streets:

It was noted that Mr. Pohlman had correctly pointed out that one-way streets have previously been enumerated in the Code of Ordinances. The draft ordinance reviewed does just that. Motion was made by Stoneberg, seconded by Pearson and carried by voice vote to recommend Council approval.

Oversight Responsibilities:

An ordinance amendment revising the Park Board's responsibilities was reviewed. Adm. Christianson recalled that in 1983 the City adopted an entire new "model" Code of Ordinances with the understanding that a firm (Municipal Code Services) specializing in such work would thereafter assist in keeping it updated. As such, the Code language proposed to be amended was not locally crafted, but a generic code. He added that, in practice, he wasn't aware that the Board had ventured away from managing the City's parks. He went on to say that this Code also requires the Park Board to serve as the City's tree board and that he doesn't know if Park Board is even aware of that. He said the Board is in a state of transition with a number of changes in membership of late. Whereas the Board had met about three times a year for a long time it has met 7-9 times each of the last two years, which may be a good thing. Everyone present agreed the Board's ability and that of other committees that oversee City property and facilities has been hampered for many years by budgetary constraints tracing back to State imposed municipal levy limits: Some of those present stated that they like how the resolution initially drafted outlines what board or committee should oversee which facilities and why. That it seems logical and, if anything, is overdue. Ms. Huiras was correct that an ordinance amendment would be necessary to alter the Park Board's duties. As such an ordinance to do that has been drafted after which the more specific resolution could be adopted to assign responsibilities.

Mr. Pohlman expressed concern about how budgets can be increased to provide for all the overdue repairs of current facilities in need, not to mention adding new ones. That he has mixed feelings about creation of a parks and recreation department. One of his concerns being that the DPW and Asst. DPW have enough to do such that any such effort would likely necessitate staffing additions/revisions. Another is how conversion of the former Ladysmith Elementary School (LES) into a community rec center. Adm. Christianson replied that, for now, the School District is going to have to tackle what becomes of LES as it appears that structure would cost more to remodel for almost anything that to be build new. [An as yet unidentified anchor tenant would need to be identified to carry much of the load financially].

Motion was made by Stoneberg, seconded by A. Hraban and carried by voice vote to recommend Council approval of the aforementioned amendment ordinance and resolution.

Tree Ordinance:

Getting back to the tree ordinance, Adm. Christianson stated that, perhaps, consideration should be given to either deleting it, or at least significantly altering it. It would be difficult to adequately budget to

do what it requires. [During the meeting Atty. Kenyon found that State Stats. do not require such ordinance, but do seem to indicate how it should be structured and what it should accomplish if it does.

Yard Setback Ordinance:

The City has been asked by a local developer to facilitate twin home development near the Tee A Way by allowing less than currently allowed rear yard setbacks in the limited instance where the lots involved abut a golf course. In this case the adjoining golf course property may essentially serve as desired green space behind such twin homes. Motion was made by Pearson, seconded by A. Hraban and carried by voice vote to recommend Council approval.

Adjourn:

The meeting adjourned at about 10:40 a.m.